

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

PEOPLE FOR THE ETHICAL TREATMENT)	
OF ANIMALS, INC.,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-20-1076-D
)	
JEFFREY LOWE,)	
LAUREN LOWE,)	
ERIK COWIE,)	
CHERYL SCOTT,)	
ERIC YANO,)	
TIGER KING, LLC,)	
GREATER WYNNEWOOD EXOTIC)	
ANIMAL PARK, LLC, and)	
BIG CAT INSTITUTE,)	
)	
Respondents.)	

ORDER

This matter is before the Court on the Verified Petition to Perpetuate Evidence [Doc. No. 1] filed by Petitioner People for the Ethical Treatment of Animals, Inc. pursuant to Fed. R. Civ. P. 27(a). A hearing on the Petition was held November 30, 2020, at which local counsel for Petitioner and counsel for Respondents Jeffrey Lowe and Lauren Lowe appeared in person, and Petitioner's *pro hac vice* attorneys appeared by telephone. Based on the Petition and supporting Declarations [Doc. Nos. 3 and 21-1], the record in this case, and the arguments of counsel, this Court finds that the Verified Petition meets the requirements of Rule 27(a), and that perpetuating the testimony and evidence described in this Order may prevent a failure or delay of justice.

IT IS THEREFORE ORDERED that the Petition is GRANTED, as set forth herein, and Respondents are ordered to attend depositions and to permit entry onto land as follows:

2. Respondent Jeffrey Lowe shall be deposed by oral examination upon reasonable notice by Petitioner given pursuant to Fed. R. Civ. P. 30(b) limited to the following subject matter: identifying the ring-tailed lemurs, grizzly bear, jaguar, tigers, lions, and hybrids thereof (the “Listed Species” in the Petition) that were in Respondents’ possession and control as of September 21, 2020, and providing an accurate inventory of Listed Species presently in Respondents’ possession and control.

3. Respondent Lauren Lowe shall be deposed by oral examination upon reasonable notice by Petitioner given pursuant to Fed. R. Civ. P. 30(b) limited to the following subject matter: identifying the ring-tailed lemurs, grizzly bear, jaguar, tigers, lions, and hybrids thereof (the “Listed Species” in the Petition) that were in Respondents’ possession and control as of September 21, 2020, and providing an accurate inventory of Listed Species presently in Respondents’ possession and control.

4. Respondent Erik Cowie shall be deposed by oral examination upon reasonable notice by Petitioner given pursuant to Fed. R. Civ. P. 30(b) limited to the following subject matter: identifying the ring-tailed lemurs, grizzly bear, jaguar, tigers, lions, and hybrids thereof (the “Listed Species” in the Petition) that were in Respondents’ possession and control as of September 21, 2020, and providing an accurate inventory of Listed Species presently in Respondents’ possession and control.

5. Petitioner is hereby authorized to enter the parcels of property located at 21469 and 21619 Jimbo Road, Thackerville, Oklahoma 73459, through its counsel and two

photographers, and to inspect and photograph the property for the limited purpose of identifying the ring-tailed lemurs, grizzly bear, jaguar, tigers, lions, and hybrids thereof (the “Listed Species” in the Petition) presently in the possession and control of Respondents at that location.

6. The scope of the depositions and inspection shall strictly comply with the areas of inquiry and examination authorized by this Order.

7. Prior to conducting any deposition or inspection authorized by this Order, Petitioner shall show proof of service of Respondent Eric Yano in the manner required by Fed. R. Civ. P. 4.¹

IT IS SO ORDERED this 30th day of November, 2020.



TIMOTHY D. DeGIUSTI
Chief United States District Judge

¹ Otherwise, if service is not completed, Petitioner shall so notify the Court to allow for compliance with Rule 27(a)(2) regarding counsel for Mr. Yano.